REGULAR MEETING BRIDGEWATER PLANNING BOARD MARCH 19, 2025

The regular meeting of the Planning Board convened at 6:30 p.m. via Zoom.

Video version of meeting available at: https://www.youtube.com/watch?v=s-XiLsdoYSg

MEMBERS PRESENT: Chair Patrick Driscoll, Eric Costa (Associate), MJ Spagone (Associate)

STAFF PRESENT: Bob Rulli, CED Director, Shane O'Brien, Town Planner, Steve Solari, Building Inspector, and Greg Tansey, Town Engineer

Chair Patrick Driscoll opened up the meeting and read the Governor's order for remote meetings.

ANR Plan: 0 Oldfield Rd (Map 52, Lot 14) – *(Continued from March 6, 2025 meeting)*

The applicant was not in attendance.

Public Hearings:

43 Rear Central Square - (Map 34, Lot 66) – Site Plan Review (Section 10.6) and Special Permits (Sections 6.1.4 and 9.6) to convert an existing manufacturing building into a mixed-use building with six (6) units *(Continued from February 5, 2025 Meeting)*

Rebecca Baptista from Silva Engineering was in attendance on the matter. The applicant has provided new plans over to the Board, however the Chair stated that due to a lack of voting members for this meeting testimony shouldn't be taken. Chairman Driscoll asked Town Staff about the Zoning Ordinance and the language regarding CBD parking.

The Board discussed the potential for the applicant to withdraw the Special Permit based on a parking agreement made with an adjacent property owner. It was noted that the Special Permit should not be withdrawn until the applicant has an understanding of the implications of doing so.

Motion to continue to the April 2nd meeting was made by Member Spagone and seconded by Member Costa

Roll Call Vote:
Driscoll – Yes, Spagone – Yes, Costa – Yes

Minor Modification Requests for Site Plan Review

0 Jasmine Way – MSF Property Holdings – Map 72, Lot 105, Previous Approval April 6. 2023 – Alteration of the building sizes from two buildings that are 9,000 sq. feet and one that is 4,500 sq. feet to three buildings being 7,500 sq. ft.

Ed Jacobs and Sam Cripps from PMP Consulting representing the applicant MSF Property Holdings LLC. They have updated the previous Site Plan Approval from two buildings that were 9,000 sq. feet and one that is 4,500 sq. feet to three buildings being 7,500 sq. ft each. It was stated everything else in the Plans remain the same.

Chairman Driscoll asked if the separation of buildings remained the same as within the ordinance the buildings have to be certain distance apart from one another. It was confirmed that the distance between buildings did not change from the previous approval and are proper and meets the Zoning Ordinance.

Member Spagone asked if fire access changed in any way.

Ed Jacobs stated that fire access is the same from the previous approval.

Motion to accept as a minor modification was made by Member Spagone and seconded by Member Costa

Roll Call Vote:
Driscoll – Yes, Spagone – Yes, Costa – Yes

Motion to approve the minor modification as presented and that the remaining language of the previous decision remain in place was made by Member Spagone and seconded by Member Costa

Roll Call Vote:
Driscoll – Yes, Spagone – Yes, Costa - Yes

<u>20 Central Square – Bridgewater RTA LLC – Map 34, Lot 206 – Site modifications including ADA accessibility, parking improvements, lighting , and other side improvements for a new Chase Bank at location.</u>

Josh Kline from Stonefield Engineering Consulting & Decision representing the applicant Chase Bank. Chase Bank is looking to go into the former Santander Bank and they are doing adaptive reuse and cleaning up the site to meet the ADA, parking, and lighting standards of the Town. Mr. Kline provided an overview of the site improvements to the Board whereas the biggest focus is on ADA accessibility.

Chairman Driscoll asked if the lighting will be dark sky compliant and complies with the our regulations. He also asked if the ATM would be removed as well.

Mr. O'Brien stated the applicant did provide a photometric plan that complies.

Mr. Kline confirmed that the ATM would be removed and that the drive-thru location was viable for jeeps and similar cars to go through.

Mr. O'Brien stated the applicant should look to extend ADA accessibility along the frontage to where the stop line end along Summer St with sidewalk improvements.

Chairman Driscoll asked if the bank owned the parking spaces on the Walgreens site. Mr. Kline stated that those parking spaces were not included as part of this. Chairman Driscoll asked Town Engineer Tansey if stormwater would be an issue. Greg Tansey stated that he is able to work with the applicant as they are only repaving the property and increasing green space onto the site. He stated that he would provide a memo to Staff and the applicant that could be a condition of approval.

Member Costa asked about the parking of the site as well as the location and what the intent of the concrete pad being proposed. Mr. Kline stated it was for the HVAC equipment.

Mr. O'Brien asked about the trench work for the new electrical work in the parking lot.

The Chair opened the minor modification discussion to public comment.

Ray Ajemian, 221 Aldrich Rd, asked about the tree island in front of the bank and if they would look to place a new tree at the location.

Mr. Kline stated that the intent of this plan is to fill in the island as it makes the sidewalk noncompliant and is a tripping hazard.

It was discussed that a shade tree should be relocated to somewhere on the site. Mr. O'Brien provided a list of conditions to consider and added language based on the discussions at the meeting.

Motion to accept as a minor modification was made by Member Spagone and seconded by Member Costa

Roll Call Vote:
Driscoll – Yes, Spagone – Yes, Costa – Yes

Motion to approve the minor modification as presented with the following conditions was made by Member Spagone and seconded by Member Costa.

GENERAL CONDITIONS

1. No further waivers of the applicable rules and regulations shall be authorized without a formal vote and approval of the Board.

2. The development shall maintain compliance with the regulations of 28 CFR 35 & 36 the Americans with Disabilities Act and 521 CMR, the Massachusetts Architectural Access Board.

3. The provisions of this conditional site plan approval shall apply to and be binding upon the landowner, the applicant, and their employees and all successors and assigns in interest, whether by title, control, or contract.

4. If any changes are made, at the request of other Agencies, Boards or Commissions, to the approved plan, the applicant shall be required to come before the Planning Board for a modification to review such changes prior to the commencement of any construction, implementation of the changes, and certificate of occupancy.

5. Approval of the site plan by the Planning Board does not relieve the applicant and/or the owner/developer of the responsibility to obtain all other applicable federal, state, and local approvals and permits. Endorsement of the Site Plan approval does not prevent further review pertaining to Conservation issues that may be pursued by the Conservation Commission.

6. All updated plans provided to the Board and Staff prior to this decision shall be reviewed by Staff as to meet the conditions of this decision.

7. Failure to comply with the Bridgewater Zoning Ordinances or terms of this Decision may result in revocation of the permits required for the Decision issued hereunder.

8. Prior to endorsement by the Board, the final plans submitted for signatures shall reflect these conditions of approval and all revisions and shall be verified by Staff, Town Engineer, or any other engineering review consultant for the Planning Board.

9. Omission of any requirements of the Planning Board's rules and regulations from these conditions of approval or the approved site plan shall not relieve the applicant/developer of his responsibility to comply with the provisions of the site plan rules and regulations.

10. This approval is valid for two years from the date the Town Clerk issues a certificate of no-appeal, or the date all judicial appeals have been concluded, unless an extension is granted in writing by the Planning Board prior to the expiration of the two-year period.

11. Applicant/owner must maintain all trash in acceptable manner to be clean and orderly. The Town may intervene through Town Code, Wetlands Bylaws, and/or Zoning Enforcement if found to be unsightly and overflowing.

12. A copy of this approval shall be kept on site and shall be incorporated into all construction contracts and subcontracts dealing with any authorized activity until the development project is completed.

13. The applicant shall include a site as-built plan prepared, signed, and stamped by a Massachusetts Registered Professional Engineer and a Massachusetts Registered Professional Land Surveyor for the CED Department's review and approval. The as-built plan shall include a certification clause signed and stamped by the Professional Engineer, noting compliance of the site construction with the approved site plan set. The engineers' and surveyor's stamps and signatures shall be made with original wet ink and stamp, electronic or photocopies of the stamps and signatures shall not be acceptable. 14. The Applicant shall contact the Planning Board to schedule an on-site project review meeting to review compliance with this decision. Delay in such action may result in the delay of the Planning Board signing off on any occupancy permit.

15. Applicant shall maintain or replace landscaping, fencing, and lighting as indicated in the Site Plan for the duration of the use. The Applicant shall use best practices to maintain the required landscaping in presentable and healthy condition.

16. Prior to construction, the applicant and/or owner, shall submit a detailed construction plan that provides the following information and appropriate mitigation:

- The estimated start date of work.
- The name, telephone number and business address of the general contractor.
- An emergency number for day and night of the responsible parties shall be provided to the Town's public safety departments, in the case of emergency, and the provisions to be implemented for securing the site from public access.
- Traffic control and management plan during construction.

17. Hours of construction shall be from 7:00 AM to 5:00 PM, Monday thru Friday, and 9:00 AM to 5:00 PM Saturday. No work shall be allowed on Sunday.

18. Site Lighting shall be erected in a manner that prevents glare onto abutting properties and shall meet Dark Sky requirements.

19. All curb ramps shall be labeled on the plan and shall conform to the Americans with Disabilities Standards, latest edition.

20. The Town Engineer or other designee appointed by the Planning Board shall oversee the construction of the drainage systems. The Town Engineer or other designee of the Planning Board (the inspector) shall be present during all critical stages of construction to ensure that proper construction practices are followed. The inspector shall be notified at least 48 hours in advance of each task that needs to be completed and signed off. A pre-construction meeting with the contractor, developer, the inspector and a member of the Board shall take place before construction begins.

21. Sidewalk improvements shall be made from the ADA Access Ramp to the stop line of the site as to provide safe pedestrian access to and from the site. Additional sidewalk improvements are made at the other curb cut entrance.

22. With CED Staff's assistance, there shall be a determination if a street tree should be placed within the location of a vacant location for where a tree was previously located. If it is determined that it is not feasible, then a propped shade tree shall locate within the lawn area left of the Stop Line.

23. Town Engineer shall provide a review of the project to the applicant in accordance with stormwater standards.

Roll Call Vote:
Driscoll – Yes, Spagone – Yes, Costa - Yes

<u>Request for Minor Changes of Subdivision Pursuant to Bridgewater Subdivision Rules and Regulations B.7 for Oak Meadow Place – Request for modification to approval roadway layout from 1988 decision to waivers of Roadway Layout at 40' roadway layout within Town Subdivision Rules and Regulations Section VII. Appendix of Forms and Attachments</u>

Charlie Woodward from Professional Land Surveys Associates representing the applicant Briarwood Construction requesting a minor modification to the roadway layout of a previously approved subdivision. The subdivision was originally approved in September 1987 and modified in 1995. The Plan was approved with a typical roadway layout (Detail Sheet) that currently does not match current standards for Town's subdivision rules and regulations. On the screen showed the approved roadway cross section and the current standards as the previous approval showed slanted granite curbing.They anticipate looking for street acceptance once all work is completed as Oak Meadow Place is currently a private way. Mr. Woodward stated the drainage was been designed as per the original subdivision and modifications.

After discussing with the Town Planner Shane O'Brien, Mr. O'Brien stated that the Town typically wants roads accepted to meet present standards therefore in anticipation of this, so the applicant is presenting a modification to their original subdivision with a new detail sheet more resembling the current subdivision layout standards.

Chairman Driscoll asked if street trees would be anticipated as to meet current standards as well as suggested receiving input from DPW. Chairman Driscoll also referenced Magnolia Way as part of the discussion.

Town Engineer Tansey stated that if the project meets current standards, it would function better for the roadway and in anticipation that it would be accepted by the Town. He discussed the curbing and pavement improvements that would come from these changes.

Chairman Driscoll that these improvements would be beneficial.

Mr. Costa asked Mr. O'Brien why this would fall under a minor modification rather than a major modification. Mr. O'Brien stated that it was due to how it was requested per the Subdivision Rules and Regulations. A major modification would require notice to abutters.

Chairman Driscoll raised some concerns that these changes to the subdivision roadway without letting the abutters know might create an issue and that a modification that would provide notice may be in order.

Mr. O'Brien stated that we are still holding money and surety for the subdivision.

Ms. Spagone stated that this is more of a major modification than a minor modification as there are too many factors in play to approve as a minor modification.

Mr. O'Brien provided an overview of what would need to take place for this item to be placed on an agenda as a subdivision modification which includes a full application, legal ad and abutters list from the applicant.

Greg Tansey suggested that the applicant should look to do vertical granite curbing rather than sloped granite curbing.

Motion to state that the changes presented are a major modification therefore would require an application and proper notice made by Member Spagone and seconded by Member Costa

Roll Call Vote:
Driscoll – Yes, Spagone – Yes, Costa – Yes

<u>Tree Committee Mitigation Discussion (continued from February 5, 2025 discussion)</u>

Ray Ajemian, the Tree Committee representative to the Planning Board, is back before the Board to continue the discussion regarding a draft mitigation schedule.

Chairman Driscoll asked that we may be over complicating things in the process from the Board's perspective as we have current regulations that control tree clearance and clear cutting and other tree measures and should look to just accept the mitigation schedule as a resource rather than a restriction.

Town Planner O'Brien stated that we could look how other communities handle tree clearing as well looking as something similar to the Scenic Roads Act. There does remain the issue that the Town has nothing in place to prevent tree cutting within the Town outside of Planning Board and Conservation Commission approvals.

Chairman Driscoll suggested that Mr. Ajemian and Town Staff should get together to discuss prior to a Board recommendation at the next meeting.

<u>Planning Board Minutes, November 20, 2024, December 4, 2024, and December 18, 2024</u>

Minutes were not voted on and will be a placed on the next meeting.

<u>Planner's Report:</u>

Town Planner O'Brien and Chairman Driscoll discussed the logistics of meeting in person in the Council Chambers with the anticipation that the Remote Meeting allowance would send by the next meeting.

<u>Adjournment</u>: The Motion to adjourn was made by Member Spagone seconded by Member Costa and it was unanimously voted.

Roll Call Vote:
Driscoll – Yes, Spagone – Yes, Costa – Yes

Meeting ended at 8:03pm